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TO RUEHC/SECSTATE WASHDC PRIORITY 7489
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INFO RUCNFRG/FRG COLLECTIVE PRIORITY
RUEHRO/AMEMBASSY ROME PRIORITY 0331
RUEHMD/AMEMBASSY MADRID PRIORITY 0627
RHMFISS/CDRUSAREUR HEIDELBERG GE PRIORITY
RHMFIUU/HQ USAFE RAMSTEIN AB GE PRIORITY
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RUEKJCS/HQ USEUCOM LO WASHINGTON DC PRIORITY
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UNCLAS SECTION 01 OF 02 BERLIN 000524

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E.O. 12958: N/A

TAGS: [KJUS](#) [KLIG](#) [PREL](#) [GM](#)

SUBJECT: MURAT KURNAZ: ANOTHER BUNDESTAG REQUEST FOR
INFORMATION

REF: A. BERLIN 317
[1](#)B. 06 BERLIN 3555
[1](#)C. BERLIN 61
[1](#)D. BERLIN 92

[1](#)1. (SBU) On March 2, 2007 Ambassador Timken received another letter from the chairman of the Bundestag's Committee of Inquiry looking into allegations of renditions, the activities of the German intelligence services related to the war in Iraq, and the detention in Guantanamo of the German-born Turkish national Murat Kurnaz. The letter is in German with an English translation supplied by the Bundestag (text in para 6 below). In the letter, Chairman Siegfried Kauder (CDU/CSU) asks the USG to provide all documents of the U.S. Department of Defense, CIA, and the CTC in Guantanamo pertaining to Murat Kurnaz.

[1](#)2. (SBU) This is the most recent of several letters Committee Chairman Kauder has sent to the Ambassador requesting the USG either to produce testimony or evidence for the Committee's investigation. Post has transmitted the previous letters (refs A and B) to Washington with a request for advice on how or whether the Ambassador or another Embassy Berlin official should respond to the Chairman of the Bundestag's Committee of Inquiry. To date the Embassy has not received responses to any of the earlier requests.

[1](#)3. (SBU) We understand that Kauder does not expect a favorable response from the USG, but that he would appreciate an acknowledgment of receipt of the letters and perhaps an explanation of why the USG chooses not to comply with the committee's requests. The Embassy requests some guidance on whether or how to respond.

[1](#)4. (SBU) In a separately but related development, the German State Prosecutor's Office in Tuebingen has contacted the Staff Judge Advocate, Stuttgart Law Center, with requests regarding Kurnaz (refs C and D). As above, the Mission and the Staff Judge Advocate would appreciate some guidance on whether or how to respond.

[1](#)5. (SBU) For Washington's reference regarding previous requests:

-- Berlin 317: Chairman Kauder requests the testimony of American official "Steve H." who allegedly accompanied German officials who interviewed Kurnaz at Guantanamo.

-- 06 Berlin 3555: Chairman Kauder requests copies of any videotapes made of German officials interviewing Kurnaz at Guantanamo.

-- Berlin 61: Tuebingen Chief Public Prosecutor Michael Pfohl requests information about trucks that clean latrines in Khandahar and someone who could testify on the subject.

-- Berlin 92: Tuebingen Prosecutor Pfohl clarifies and expands his request in Berlin 61.

16. (SBU) Following is the text of the February 28 letter:

(begin text of letter)

The Honorable
Mr. William R. Timken, Jr.
Ambassador of the United States of America.
Neustaedtische Kirchstrasse 4-5
10117 Berlin

- By courier -

28 February 2007

Dear Mr. Ambassador,

On 7 April 2006, the German Bundestag adopted a resolution establishing the 1st Committee of Inquiry of the 16th electoral term. Under the mandate established by Parliament, the Committee of Inquiry is to clarify still unresolved questions, make assessments and draw the necessary

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conclusions, among other things "in connection with a report presented by the German Federal Government on events relating to the Iraq War and combating international terrorism."

Please refer to enclosure 1 for details of the Committee of Inquiry's mandate.

At its meeting on 22 February 2007, the Committee of Inquiry decided to cordially request the Government of the United States of America to support the parliamentary work of the Committee.

On behalf of the members of the Committee, I would like to express the hope that you will find yourself able to provide information of importance for the Committee of Inquiry in fulfilling its mandate.

In line with the Committee's Decision to take Evidence, which I also enclose for your information (Decision to take Evidence 16-266, enclosure 2), we request your assistance regarding the questioning of Mr. Murat Kurnaz by German officials in Guantanamo.

In this context, the Committee of Inquiry requests all documents of the US Department of Defense, CIA headquarters and the CTC in Guantanamo pertaining to Murat Kurnaz, in particular regarding the question of his possible release, as well as all documents relating to communication with German offices about this case.

I would like to thank you for your readiness to receive and examine the requests of the German Bundestag.

Sincerely,

Sgd. Siegfried Kauder
Chairman of the 1st Committee of Inquiry

GERMAN BUNDESTAG
16th electoral term

1st Committee of Inquiry
The Chairman

11011 Berlin, 22 February 2007
Platz der Republik 1

(end text of letter)

(begin text of attachment)

At its 31st meeting, on 22 February 2007, the 1st Committee of Inquiry adopted:

Decision to take Evidence 16-266

In accordance with Section III of the Committee of Inquiry's mandate (Bundestag printed paper 16/990, 16/1179 and 16/3028, 16/3191), evidence is to be taken by obtaining the following documents:

All documents of the US Department of Defense, CIA headquarters and the CTC in Guantanamo pertaining to Murat Kurnaz, in particular regarding the question of his possible release, as well as all documents relating to communication with German offices about this case.

The Committee of Inquiry asks that the government of the United States of America be cordially requested via diplomatic channels to transmit the requested documents to the German Bundestag.

Siegfried Kauder
Chairman of the Committee of Inquiry

(end text of attachment)
TIMKEN JR